

DECLARATION

PD-0832

BEST AVAILABLE COPY

- ☒ ORIGINAL  
☐ CONTINUATION  
☐ DIVISIONAL

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at I below, or a joint inventor if plural inventors are named below at 1-4, of the invention entitled:  
**CLONED GLUTAMIC ACID DECARBOXYLASE**

Which is described and claimed in:

- ☒ the attached specification or  
☒ the specification in application Serial No. 586,536 filed Sept. 21, 1990 ☐ as amended on \_\_\_\_\_ (if applicable)  
(for declaration not accompanying application)

and for which a patent is sought, and that my residence, post office address and citizenship are as stated below next to my name.  
I acknowledge my duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).  
I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.  
I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING Month Day Year	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status)
(Application Serial No.)	(Filing Date)	(Status)

(Please Print)

1	Name of Inventor LAST NAME Tobin	FIRST NAME Allan	MIDDLE NAME J.	Residence: CITY Los Angeles	STATE or COUNTRY California
	Post Office Address 850 South Masselin Avenue, Los Angeles, CA 90036				CITIZENSHIP USA
2	Name of Inventor LAST NAME Erlander	FIRST NAME Mark	MIDDLE NAME G.	Residence: CITY Tarzana	STATE or COUNTRY California
	Post Office Address 5830 Reseda Boulevard, Apt. #204, Tarzana, CA 91356				CITIZENSHIP USA
3	Name of Inventor LAST NAME Kaufman	FIRST NAME Daniel	MIDDLE NAME L.	Residence: CITY Santa Monica	STATE or COUNTRY California
	Post Office Address 1453 Centinela, Apt. C., Santa Monica, CA 90404				CITIZENSHIP USA
4	Name of Inventor LAST NAME	FIRST NAME	MIDDLE NAME	Residence: CITY	STATE or COUNTRY
	Post Office Address				CITIZENSHIP

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1 X <u>Allan J. Tobin</u>	SIGNATURE OF INVENTOR 2 X <u>Mark G. Erlander</u>
DATE <u>9/25/90</u>	DATE <u>9/25/90</u>
SIGNATURE OF INVENTOR 3 X <u>Daniel Kaufman</u>	SIGNATURE OF INVENTOR 4
DATE <u>10/16/90</u>	DATE

Applicant or Patentee: Tobin, et al. Attorney's  
Serial or Patent No.: \_\_\_\_\_ Docket No: PD-0832  
Filed or Issued: \_\_\_\_\_  
For: CLONED GLUTAMIC ACID DECARBOXYLASE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION REGENTS OF THE UNIVERSITY OF CALIFORNIA  
ADDRESS OF ORGANIZATION 300 Lakeside Drive, 22nd Flr., Oakland, CA 94612-3550

TYPE OF ORGANIZATION

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c) (3))  
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)  
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c) (3)) IF LOCATED IN THE UNITED STATES OF AMERICA  
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) or (b) of Title 35, United States Code with regard to the invention entitled CLONED GLUTAMIC ACID DECARBOXYLASE by inventor(s) Allan J. Tobin, Mark G. Erlander, and Daniel L. Kaufman described in

- ☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Joan S. Trygstad, Esq., Senior Technology Transfer Officer  
TITLE IN ORGANIZATION Regents of The University of California  
ADDRESS OF PERSON SIGNING 405 Hilgard Avenue, 1400 Ueberroth Building  
Los Angeles, California 90024-1406  
SIGNATURE Joan S. Trygstad DATE Sept 19, 1990

# ASSIGNMENT

Attorney Docket No. PD-0832  
UCLA 90-055-01

(1-8) Insert Name(s) of Inventor(s)

(1) Allan J. Tobin (5) \_\_\_\_\_  
(2) Mark G. Erlander (6) \_\_\_\_\_  
(3) Daniel L. Kaufman (7) \_\_\_\_\_  
(4) \_\_\_\_\_ (8) \_\_\_\_\_

In consideration of the sum of one dollar (\$1.00) and other good and valuable considerations paid to each of the undersigned, the undersigned agree(s) to assign, and hereby does assign, transfer and set over to

(9) Insert name of Assignee Regents of the University of California  
(10) Insert state of Incorporation of Assignee \_\_\_\_\_  
(11) Insert address of Assignee (11) of 300 Lakeside Drive, 22nd Flr, Oakland, CA 94612-3550  
(12) Insert Identification of Invention, such as Title, Case Number or Foreign Application Number (12) CLONED GLUTAMIC ACID DECARBOXYLASE (Case No. \_\_\_\_\_)  
for which the undersigned has (have) executed an application for patent in the United States of America  
(13) Insert Date of Signing of Application (13) on September 20, 1990

1) The undersigned agree(s) to execute all papers necessary in connection with the application and any continuing or divisional applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

2) The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning this application or continuation or division thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

3) The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

4) The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

5) The undersigned hereby authorize(s) and request(s) the Commissioner of Patents to issue any and all Letters Patents of the United States resulting from said application or any division or divisions or continuing applications thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) not executed and will not execute, any agreement in conflict herewith.

6) The undersigned hereby grant(s) W. ROBERT SPENSLEY, Reg. No. 17,433; MARTIN R. HORN, Reg. No. 18,189; STUART LUBITZ, Reg. No. 20,680; RICHARD H. ZAITLEN, Reg. No. 27,248; WAYNE WILLENBERG, Reg. No. 28,488; PAUL L. GARDNER, Reg. No. 22,372; DAVID L. FEHRMAN, Reg. No. 28,600; JOHN LAND, Reg. No. 29,554; JAY M. FINKELSTEIN, Reg. No. 21,082; STANLEY A. BECKER, Reg. No. 23,037; WILLIAM K. KONRAD, Reg. No. 28,868; MICHAEL BARCLAY, Reg. No. 32,553; ALEX CHARTOVÉ, Reg. No. 31,942; VINCENT J. BELUSKO, Reg. No. 32,820; ROD S. BERMAN, Reg. No. 31,483; DAVID S. GUTTMAN, Reg. No. 27,479; DAVID M. SIMON, Reg. No. 32,756; DAVID L. HENTY, Reg. No. 31,323; LAWRENCE W. GRANATELLI, Reg. No. 32,228; THOMAS C. REYNOLDS, Reg. No. 32,488; ROGER R. WISE, Reg. No. 31,204; JOHN R. WETHERELL, Reg. No. 31,678; DON F. LIVORNESE, Reg. No. 32,040; DINAH NEWTON HILL, Reg. No. 33,508; GARTH A. WINN, Reg. No. 33,220; TED RITTMASER, Reg. No. 32,933; and HIDEO KODA, Reg. No. 27,729 the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Date: 8/29/90 Name of Inventor: Allan J. Tobin (SEAL)  
Date: 8/27/90 Name of Inventor: Mark G. Erlander (SEAL)  
Date: 8/27/90 Name of Inventor: Daniel L. Kaufman (SEAL)  
Date: \_\_\_\_\_ Name of Inventor: \_\_\_\_\_ (SEAL)  
Date: \_\_\_\_\_ Name of Inventor: \_\_\_\_\_ (SEAL)  
Date: \_\_\_\_\_ Name of Inventor: \_\_\_\_\_ (SEAL)  
Date: \_\_\_\_\_ Name of Inventor: \_\_\_\_\_ (SEAL)  
Date: \_\_\_\_\_ Name of Inventor: \_\_\_\_\_ (SEAL)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Allan J. TOBIN et al.	)	Group Art Unit: 1814
	)	
Application No.: 07/586,536	)	Examiner: G. Bugaisky
	)	
Filed: September 21, 1990	)	
	)	
For: CLONED GLUTAMIC ACID	)	
DECARBOXYLASE	)	
	)	

COPY

**REVOCATION OF POWER OF ATTORNEY  
BY ASSIGNEE OF ENTIRE INTEREST**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

As the Assignee of the entire interest in the above-identified application, the Regents of the University of California, having its principal place of business at 1111 Franklin Street, 12<sup>th</sup> Floor, Oakland California 94607, hereby revokes all powers of attorney previously granted in connection with the above-identified application to all appointed attorneys and agents of Flehr, Hohbach, Test, Albritton & Herbert, L.L.P.. R. DANNY HUNTINGTON, Reg. No. 27,903 has been appointed to prosecute and transact all business in the Patent and Trademark Office connected with the above-identified application. (A copy of the document, dated June 4, 1993, evidencing that appointment is included.) The Assignee has reviewed documentary evidence of the chain of title from the original owner to the Assignee recorded in the U.S. Patent and Trademark Office at Reel 5536, Frame 0106, and certifies that to the best of its knowledge and belief it is the owner of the entire right, title and interest in and to the above-identified application.

Please direct all telephone calls and correspondence to:

**R. Danny Huntington  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620**

I, Linda S. Stevenson, hereby declare that, I am a representative authorized to sign on behalf of the Assignee, the Regents of the University of California, an entity duly organized and existing under the Laws of the State of California, US, having its principal place of business at 1111 Franklin Street, 12<sup>th</sup> Floor, Oakland, California, 94607 US.

I am the Principal Prosecution Analyst of Technology Transfer of said entity, and I am duly authorized to sign the foregoing instrument in the name of said entity.

I finally declare that all statements made herein are true.

Date: October 25, 1999

Signature: \_\_\_\_\_

Name: Linda S. Stevenson

Title: Principal Prosecution Analyst

Assignee: The Regents of the University of California